

**HUMAN SERVICES DEPARTMENT[441]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 249A.4 and 2017 Iowa Acts, House File 653, section 12(15)(c), the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 74, “Iowa Health and Wellness Plan,” Chapter 75, “Conditions of Eligibility,” and Chapter 76, “Enrollment and Reenrollment,” Iowa Administrative Code.

These proposed amendments eliminate the three-month retroactive Medicaid coverage benefit provisions for initial applications and applications to add new household members. Pursuant to 2017 Iowa Acts, House File 653, as passed during the 87th Session of the General Assembly, the Department requested a waiver from the Centers for Medicare and Medicaid services of the U.S. Department of Health and Human Services to eliminate the retroactivity provisions. Upon federal approval, elimination of three-month retroactive eligibility for Medicaid applicants begins on October 1, 2017.

Any interested person may make written comments on the proposed amendments on or before October 31, 2017. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 3353C**. The purpose of this Notice of Intended Action is to solicit public comments on that submission, the subject matter of which is incorporated by reference.

After analysis and review of this rule making, it was determined that Medicaid providers may experience financial loss due to nonpayment of unpaid medical bills incurred in the three months prior to a Medicaid applicant’s filing of an application.

These amendments are intended to implement Iowa Code section 249A.4 and 2017 Iowa Acts, House File 653, section 12(15)(a)(7).